

REMARKS

In view of the amendments and remarks that follow, Applicants respectfully submit that the application is in condition for allowance. Accordingly, applicants request reconsideration of the application, withdrawal of the rejections of record and issuance of a Notice of Allowance.

Claims 1-15 are pending in the application, all of which stand rejected for the reasons of record. Claims 10 and 11 have been canceled in this response and Claims 1-5, 7, 9 and 12-15 were previously canceled. Claims 6 and 8 remain alive in the application. The amendments are not considered to involve the addition of new matter and entry thereof is respectfully requested.

It is noted and acknowledged that the response filed 04/14/2005 has obviated all 102(b) and 103 rejections made in the previous office action.

Provisional Double Patenting Rejections

Claims 1-5 and 7-15 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 3-7, 12 and 16 of co-pending Application No. 09/573,829. It is noted that although the conflicting claims are not identical, they are not patentably distinct from each other because the subject matter embraced in the instant claims overlaps with the stated claims of 09/573,829.

Claims 1-5 and 7-15 are also provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-14 and 16-25 of co-pending Application No. 10/441,848. It is noted that although the conflicting claims are not identical, they are not patentably distinct from each other because the subject matter embraced in the instant claims overlaps with the stated claims of 10/441,848.

Finally, Claims 1-5 and 7-15 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-2 and 4-19 of co-pending Application No. 10/633,997. It is noted that although the conflicting claims are not identical, they are not patentably distinct from each other because the subject matter embraced in the instant claims overlaps with the stated claims of 10/633,997.

While disagreeing with the provisional rejections in view of the amendments to the application, Applicants are filing a Terminal Disclaimer with this response.

Applicants acknowledge the comments made by the Examiner during a phone call on May 13, 2005. The Examiner indicated that the application would be in condition for allowance with the filing of a terminal disclaimer if complex claims 10 and 11 were canceled. Applicants have canceled claims 10 and 11 to expedite the allowance of the remaining claims.

In view of the foregoing, Applicants submit that the application, as amended, is in condition for allowance and courteously solicit a Notice of Allowance.

If any fee due is not accounted for herein, please charge such fee to Deposit Account No. 19-3880. If any extension of time is required and not petitioned for, such extension is hereby petitioned for, and it is requested that any fee due in connection therewith be charged to the aforementioned Deposit Account.

The foregoing response is believed to be fully responsive to the outstanding Office Action. If a direct personal communication would advance the prosecution of this application, please contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



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